

Appl. No. 10/771,781
Atty. Docket No. 9507
Amdt. dated 5/18/2005
Reply to Office Action of 3/30/2005
Customer No. 27752

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REMARKS

No amendments to the claims are presented by the instant response to the Office Action dated March 30, 2005. Claims 1-20 remain pending and are presented for the Examiner's review in light of the following comments.

35 USC §102(b) Rejection

Claims 1-7, 11, 13, 14, and 18-20 have been rejected under 35 USC §102(b) over Franz, U.S. Patent No. 6,845,282. Applicants respectfully traverse this rejection for the following reasons:

1. Claim 1 claims a method of determining the modulus-of-elasticity-analog value of a moving web material comprising the steps of, *inter alia*, determining the modulus-of-elasticity-analog value of the moving web material according to the first and second web-tension-analog values and web-velocity-analog values.

2. Claim 18 claims a method of determining the modulus-of-elasticity-analog value of a moving web material comprising the steps of, *inter alia*, determining a flow-rate-analog value of the moving web material according to the first and second web-tension-analog and web-velocity-analog values. Next, one determines the modulus-of-elasticity-analog value according to the flow-rate-analog value and either the first web-tension-analog value and web-velocity-analog value, or the second web-tension-analog value and web-velocity-analog value.

3. Instant claim 20 claims a method of determining the modulus-of-elasticity-analog value of a moving web material comprising the steps of, *inter alia*, determining the modulus-of-elasticity-analog value of the moving web material according to at least the first and second web-tension-analog and web-velocity-analog values. Next, one determines the flow-rate-analog value according to at least the first and second web-tension-analog and web-velocity-analog values.

4. As noted in the *Franz* reference, the tension of a paper web is controlled by the speed difference between the speed of an upstream motor and a downstream drive. (3:65-67) The speed difference may be altered by adjusting the output of a tension controller to raise or lower the speed of the upstream motor via a motor controller. (4:1-3) Raising the speed of the upstream motor relative to the downstream motor will reduce the tension of the web, and lowering the speed of the upstream motor relative to the downstream process will increase the tension of the web. (5:3-7)

Page 2 of 4

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5. The *Franz* reference seeks to control the tension of a continuous material during the processing of the material. (2:11-13) Net – the process utilized in the *Franz* reference seeks to control web tension as a physical characteristic of the web material changes. (2:14-16)

6. This is not what is claimed in the instant application. The instant invention seeks to provide a method for the dynamic determination of the modulus of elasticity of a moving web material. (1:29-30) By sensing changes in the modulus of elasticity, the adverse effects of modulus changes are mitigated in a web-handling process. (1:31-33)

At a minimum, the *Franz* reference is silent with respect to determining the modulus-of-elasticity-analog value of the moving web material according to the values of tension and velocity of the moving web material as required by Applicant's claim 1. Further, the *Franz* reference is silent with respect to the steps of determining the flow-rate-analog and the modulus-of-elasticity-analog values of the moving web material and as required by Applicant's claim 18. Further, the *Franz* reference is silent with respect to determining the modulus of elasticity of a moving web material by determining the modulus-of-elasticity-analog and the flow-rate-analog values and web as required by Applicant's claim 20.

Anticipation under 35 USC §102(b) requires that the cited reference disclose each and every limitation of Applicant's claimed invention. See *Moba, B.V. v. Diamond Automation, Inc.*, 325 F.3d 1306, 66 U.S.P.Q.2d 1429 (Fed. Cir. 2003).

Since it is clear that the *Franz* reference does not teach each and every element of Applicant's claimed invention, Applicants respectfully request the Examiner to withdraw the instant rejection under 35 USC §102(b) to Applicant's instant claims 1, 18, and 20, and all claims dependent thereon. Further, there is no disclosure, teaching, or even a suggestion in the *Franz* reference to provide for the determination of the modulus of elasticity of a moving web material as claimed by Applicants.

Conclusion

This response is timely filed pursuant to the provisions of 37 C.F.R. §1.8 and M.P.E.P. §513, and no additional fees are believed due. If any additional charges are due, the Examiner is authorized to deduct such charge from our Deposit Account No. 16-2480 in the name of The Procter & Gamble Company.

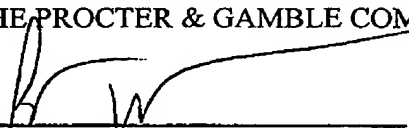
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Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By


Signature

Peter. D. Meyer

Registration No. 47,792
(513) 634-7419

Date: May 18, 2005
Customer No. 27752